

ASSEMBLY BILL

No. 2557

Introduced by Assembly Member Williams

February 21, 2014

An act to amend Section 78230 of the Education Code, relating to community colleges.

LEGISLATIVE COUNSEL'S DIGEST

AB 2557, as introduced, Williams. Community colleges: intersession extension programs.

Existing law establishes the California Community Colleges, under the administration of the Board of Governors of the California Community Colleges, as one of the segments of public postsecondary education in this state. Under existing law, community college districts are established throughout the state and authorized to maintain campuses and provide instruction to students.

Existing law, until January 1, 2018, authorizes community college districts to establish and maintain extension programs meeting specified characteristics at 6 community college campuses during summer and winter intersessions. The 6 campuses authorized under existing law are the College of the Canyons, Crafton Hills College, Long Beach City College, Oxnard College, Pasadena City College, and Solano Community College.

Existing law states the intent of the Legislature that at least one campus of the California Community Colleges should begin implementation of the pilot program by January 2014 and that an additional 5 campuses should implement the pilot program by July 1, 2014.

This bill would delete Pasadena City College from the group of community college campuses authorized to participate in this program.

Vote: majority. Appropriation: no. Fiscal committee: yes.

State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 78230 of the Education Code is amended
2 to read:

3 78230. (a) For the purposes of this section, the following terms
4 have the following meanings:

5 (1) “Eligible community college campus” means one of the
6 following campuses:

7 (A) College of the Canyons.

8 (B) Crafton Hills College.

9 (C) Long Beach City College.

10 (D) Oxnard College.

11 ~~(E) Pasadena City College.~~

12 ~~(F)~~

13 (E) Solano Community College.

14 (2) “Eligible community college district” means a community
15 college district with an eligible community college campus.

16 (b) (1) The Office of the Chancellor of the California
17 Community Colleges shall establish a voluntary pilot program
18 through which an eligible community college campus may establish
19 and maintain extension programs offering credit courses during
20 summer and winter intersessions. The governing board of an
21 eligible community college district may request to participate in
22 the pilot program.

23 (2) It is the intent of the Legislature that at least one participating
24 campus should begin implementation of the pilot program by
25 January 2014, and that an additional ~~five~~ *four* campuses should
26 implement the pilot program by July 1, 2014.

27 (c) An extension program established pursuant to this section
28 shall have all of following characteristics:

29 (1) The program shall be self-supporting and all costs associated
30 with the program shall be recovered.

31 (2) Enrollment in the pilot program shall not be reported for
32 state apportionment funding, but program enrollment shall be open

1 to the public pursuant to Section 51006 of Title 5 of the California
2 Code of Regulations.

3 (3) The program shall be developed in conformance with this
4 code and Division 6 (commencing with Section 50001) of Title 5
5 of the California Code of Regulations related to community college
6 credit courses.

7 (4) The program shall be subject to community college district
8 collective bargaining agreements.

9 (5) The program shall apply to all courses leading to certificates,
10 degrees, or transfer preparation.

11 (d) (1) To participate in the pilot program, an eligible
12 community college district shall satisfy all of the following criteria:

13 (A) The district shall have served a number of students equal
14 to, or beyond, its funding limit for the two immediately prior
15 academic years, as provided in the annual Budget Act and as
16 reported by the Office of the Chancellor of the California
17 Community Colleges.

18 (B) The district shall not have received a stability adjustment
19 to state apportionment funding pursuant to Section 58776 of Title
20 5 of the California Code of Regulations in the prior two years.

21 (C) All courses offered for credit that receive state
22 apportionment funding shall meet basic skills, transfer, or
23 workforce development objectives.

24 (D) The district shall prioritize enrollment of students in courses
25 offered that receive state apportionment funding in conformance
26 with the legal authority of the governing board of the community
27 college district, Section 66025.8 of this code, and Section 58108
28 of Title 5 of the California Code of Regulations, by promoting
29 policies that prioritize enrollment in courses that receive state
30 apportionment funding of students who are fully matriculated, as
31 defined in Section 78212, and making satisfactory progress toward
32 a basic skills, transfer, or workforce development goal.

33 (E) The district shall prioritize enrollment in the extension
34 program courses as follows:

35 (i) First priority shall be given to current community college
36 students who are eligible for resident tuition.

37 (ii) Second priority shall be given to students who are eligible
38 for resident tuition.

39 (F) (i) The district shall limit the enrollment of students funded
40 by the state in activity courses, as defined in Section 55041 of Title

1 5 of the California Code of Regulations. An applicant district shall
2 not claim state apportionment funding for students who repeat
3 either credit courses or noncredit physical education, or visual or
4 performance arts courses that are part of the same sequence of
5 courses, unless the student is doing so to meet degree or other local
6 community college district requirements and is in compliance with
7 Section 55041 of Title 5 of the California Code of Regulations.

8 (ii) This subparagraph does not apply to disabled students taking
9 adaptive activity courses, students participating in intercollegiate
10 athletics, or students with an approved educational plan majoring
11 in physical education or the performing arts.

12 (2) The Office of the Chancellor of the California Community
13 Colleges, to the extent feasible, shall determine whether an eligible
14 community college district meets the criteria outlined in paragraph
15 (1) prior to its participation in the pilot program.

16 (e) For a student who is not categorically exempt from
17 nonresident tuition, the community college district shall charge
18 all statutorily authorized fees applicable to nonresident students,
19 including, but not limited to, fees authorized pursuant to Section
20 76141 or 76142, for his or her enrollment in courses offered
21 pursuant to the pilot program.

22 (f) The governing board of an eligible community college
23 district shall not expend General Fund moneys to establish and
24 maintain the extension program.

25 (g) An extension credit course shall not supplant any course
26 funded with state apportionments and shall not be offered at times
27 or in locations that supplant or limit the offering of programs that
28 receive state funding or in conjunction with courses that receive
29 state apportionment funding. An eligible community college district
30 shall not reduce a state-funded course section needed by students
31 to achieve basic skills, workforce training, or transfer goals, with
32 the intent of reestablishing those course sections as part of the
33 extension program. The governing board of an eligible community
34 college district shall annually certify compliance with this
35 subdivision by board action taken at a regular session of the board.

36 (h) A degree credit course offered as an extension course shall
37 meet all of the requirements of subdivision (a) of Section 55002
38 of Title 5 of the California Code of Regulations, as it exists on
39 January 1, 2013.

1 (i) The governing board of an eligible community college
2 district may charge students enrolled in an extension course a fee
3 that covers the actual cost of the course and that is based upon the
4 district's nonresident fee rate for the year the course is offered.
5 For purposes of this subdivision, "actual cost" includes the actual
6 cost of instruction, necessary equipment and supplies, student
7 services and institutional support, and other costs of the community
8 college district used in calculating the costs of education for
9 nonresident students, including the administrative costs incurred
10 by the Office of the Chancellor of the California Community
11 Colleges in providing oversight of the pilot program.

12 (j) In order to assist in providing access to extension courses
13 for students eligible for the Board of Governors fee waiver,
14 one-third of the revenue collected pursuant to subdivision (i) shall
15 be used by the district to provide financial assistance to these
16 students. In addition to the one-third of the revenues collected, a
17 participating district shall supplement financial assistance with
18 funds from campus foundations or any other nonstate funds.

19 (1) Each participating community college district shall develop
20 a plan for collecting and ~~dispensing~~ *disbursing* financial assistance
21 provided pursuant to this subdivision.

22 (2) Participating districts shall include a description of the
23 financial assistance plan in their annual reports to the Office of
24 the Chancellor of the California Community Colleges in accordance
25 with subdivision (n). Participating districts shall report, at a
26 minimum, all of the following:

27 (A) The number and percentage of participating students who
28 are receiving financial assistance.

29 (B) The criteria used for determining eligibility for, and
30 prioritizing awards of, financial assistance for students.

31 (C) Methods for communicating financial assistance information
32 to students.

33 (D) Total amount of financial aid disbursed and the sources of
34 the aid.

35 (E) Information on the proportion of students whose extension
36 program fees are subsidized with financial assistance, the
37 percentage of total fees that is paid by financial assistance for
38 individual students, with this information aggregated in ways that
39 assist in evaluating the consequence and equity of the financial
40 assistance program, and the sources of the financial assistance.

(k) A community college district maintaining an extension program under this section shall make every effort to encourage broad participation in the program and support access for students eligible for Board of Governors fee waivers, including, but not limited to, providing students with information about financial aid programs, the American Opportunity Tax Credit, military benefits, scholarships, and other financial assistance that may be available to students, as well as working with campus foundations to provide financial assistance for students attending extension programs. In addition, the district shall adopt enrollment priority and student support policies ensuring that students who are eligible for state financial aid are not disproportionately shifted from courses that receive state apportionment funding to courses offered under the pilot program.

(l) (1) Each eligible community college district participating in the pilot program shall do both of the following:

(A) Collect and keep records that measure student participation, student demographics, and student outcomes in a manner consistent with records collected by community college districts in regular credit programs supported through state apportionments, including an analysis of program effects, if any, on district workload and district financial status. A community college district shall submit this information to the Office of the Chancellor of the California Community Colleges by October 1 of each year.

(B) Submit a schedule of fees established pursuant to subdivision (i) to the Chancellor of the California Community Colleges by August 1 of each year.

(2) The chancellor shall submit all of the information provided by community college districts pursuant to paragraph (1) to the Legislative Analyst's Office by November 1 of each year.

(3) (A) No later than January 1, 2017, the Legislative Analyst's Office shall, pursuant to Section 9795 of the Government Code, provide to the Legislature a written report that evaluates the pilot program established by this article.

(B) The report shall include all of the following:

(i) Summary statistics relating to course offerings, student enrollment, including demographic data on the students enrolled in courses, if available, financing, student use of financial aid, funding, and course completion rates for the pilot program.

1 (ii) A determination of the extent to which the pilot program
2 complies with statutory requirements and the extent to which the
3 pilot program results in expanded access for students.

4 (iii) An assessment of the effect of the pilot program on the
5 availability of, and enrollment in, courses that receive state
6 apportionment funding, with particular attention to the demographic
7 makeup and financial aid status of students enrolled in those
8 courses.

9 (iv) Recommendations as to whether the pilot program should
10 be extended, expanded, or modified. In making recommendations,
11 the Legislative Analyst's Office shall consider alternative
12 approaches that might achieve the goal of expanded access without
13 increasing state funding.

14 (m) Courses offered by the extension program established and
15 maintained under this section may only be offered during summer
16 and winter intersessions.

17 (n) (1) No later than March 31, 2014, the Board of Governors
18 of the California Community Colleges shall adopt reporting
19 requirements for the pilot program that conform with the
20 requirements of Article 2 (commencing with Section 84030) of
21 Chapter 1 of Part 50, and the information reported shall be included
22 in the annual audit process.

23 (2) An eligible community college district that fails to comply
24 with the requirements established by the Board of Governors of
25 the California Community Colleges for the pilot program pursuant
26 to paragraph (1) or no longer meets the criteria set forth in
27 subdivision (d) shall be ineligible for participation in the pilot
28 program.